

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

BRIAN S. L.,	)	
Administrator, Of the Estate of TINA	)	
L. L., Deceased,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:21-cv-423 (AJT/JFA)
	)	
KILILO KIJAKAZI,	)	
<i>Acting Commissioner of Social Security,</i>	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

In this action seeking judicial review of the final administrative decision of Defendant Kililo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), presently pending before the Court are Plaintiff’s Motion for Summary Judgment [Doc. No. 16] and the Commissioner’s Motion for Summary Judgment [Doc. No. 18]. By Report and Recommendation dated December 10, 2021 [Doc. No. 24], the Magistrate Judge recommended that the Court deny Plaintiff’s Motion for Summary Judgment, grant the Commissioner’s Motion for Summary Judgment, and affirm the Commissioner’s final decision. On January 4, 2022, Plaintiff filed Objections to Magistrate Judge’s Report and Recommendation. [Doc. No. 27]. On January 18, 2022, the Commissioner filed Defendant’s Response to Plaintiff’s Objections to the Magistrate Judge’s Report and Recommendation. [Doc. No. 28].

The Court has conducted a *de novo* review of the administrative record and has considered in detail the Plaintiff’s Motion for Summary Judgment and his objections to the Magistrate Judge’s Report and Recommendation in light of that record. Based on that *de novo*


review, the Court finds and concludes that (1) the Commissioner's final decision denying Plaintiff's claim for disability insurance benefits under the Social Security Act on the grounds that Plaintiff was not disabled as defined by the Social Security Act and applicable regulations was supported by substantial evidence; (2) the Commissioner employed the correct legal standards in reaching that decision; and (3) the Commissioner properly exercised his authority in issuing the final decision and in support of these findings and conclusions, adopts and incorporates by reference herein the Report and Recommendation. Accordingly, it is hereby

ORDERED that the Magistrate Judge's Report and Recommendation [Doc. No. 24] be, and the same hereby is, ADOPTED as to the above findings and conclusions; it is further

ORDERED that the Commissioner's Motion for Summary Judgment [Doc. No. 18] be, and the same hereby is, GRANTED, and the decision of the Commissioner is hereby AFFIRMED; and it is further

ORDERED that Plaintiff's Motion for Summary Judgment [Doc. No. 16] be, and the same hereby is, DENIED.

The Clerk is directed to enter final judgment in accordance with Rule 58 and forward copies of this Order to all counsel of record.

  
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Anthony J. Trenga  
United States District Judge

Alexandria, Virginia  
February 1, 2022